



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

**NOTICE OF ALLOWANCE AND ISSUE FEE DUE**

PM82/0924

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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/129,279	08/05/98	006	PEZZUTO, R	3671 09/24/99
First Named Applicant	DAVIS, 35 USC 154(b) term ext. = 0 Days.			

TITLE OF INVENTION CONVERSION APPARATUS AND METHOD FOR USE WITH EXCAVATOR AND CRANE DEVICES

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3 FFC02	037-403.000	B97	UTILITY	YES	\$605.00	12/27/99

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

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Patent and Trademark Office**

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*TM*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/129,279    08/05/98    DAVIS

D    FFC02

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EXAMINER

PEZZUTO, R

ART UNIT

PAPER NUMBER

3671

DATE MAILED:

09/24/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Notice of Allowability

Application No.  
**09/129,279**

Applicant(s)  
**Davis**

Examiner  
**Robert Pezzuto**

Group Art Unit  
**3671**



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to application filed August 5, 1998.

☒ The allowed claim(s) is/are 9-14, renumbered 1-5; respectively.

☐ The drawings filed on \_\_\_\_\_ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☒ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_.

☐ including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☒ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance

Art Unit: 3671

**DETAILED ACTION**  
**EXAMINER'S AMENDMENT**

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R.

§ 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

In the specification:

On page 29 (the abstract), line 25, everything after "...boom is engaged with the connector." was deleted.

In the claims:

Claims 1-8, 15 and 16 were deleted.

In claim 14, line 1, immediately after "...for use as a crane", "the excavator comprising a lower crawler...and a crane boom associated with a crane implement" was deleted.

Art Unit: 3671

In claim 14, line 5, immediately after "...the method comprising the steps of:",

--(a) providing an assembly having:

a lower crawler adapted for use with the excavator, the lower crawler comprising:

a first swivel at a position remote from the ground and

a continuous belt drive track for mobilizing the crane over the ground,

an upper body adapted for use with the excavator, the upper body comprising:

a support member for providing structural integrity for the upper body,

a second swivel at a position proximate to the ground, and

a receptacle adapted to accept an excavator boom, the second swivel

a adapted to be rotatably engaged with the first swivel of the lower excavator crawler for providing rotation of the upper excavator body upon the lower crawler when the lower crawler is stationary or mobilized;

a boom adapted to engage a crane body, the boom comprising:

a distal end having associated therewith at least one lifting device, and

a proximate end adapted to engage the crane body and,

an adaptor capable of engaging the receptacle of the excavator upper body

as if the adaptor was the excavator boom, the adaptor and the receptacle capable of being fixedly secured together such that, when secured, the adaptor defines a connection for receiving the crane boom in the same manner as the crane boom would be accepted by a crane body for providing a

Art Unit: 3671

a1  
Comit range of boom angles comparable to the range of boom angles available to the boom connected to a crane body,--was inserted.

In claim 14, line 6, "(a)" was deleted and --(b)-- was inserted.

In claim 14, line 8, "(b)" was deleted and --(c)-- was inserted.

In claim 14, line 15, "(c)" was deleted and --(d)-- was inserted.

In claim 14, line 16, "(d)" was deleted and --(e)-- was inserted.

2. Authorization for this Examiner's Amendment was given in a telephone interview with Mr Alton Payne on September 24, 1999.

3. Any comments considered necessary by the applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays should, preferably, accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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*Conclusion*

4. Any inquiry concerning this communication should be directed to Robert Pezzuto at telephone number (703) 308-1012. The examiner can normally be reached Monday through Thursday from 7:00 am to 5:00 pm, Eastern Standard Time.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr Thomas B Will, can be reached on (703) 308-3870. The fax phone number for this Group is (703) 305-7687



Robert Pezzuto  
Art Unit 3671  
September 24, 1999